

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Terry Barnes**

**Docket No. 3:92-CR-58-1BR**

**Petition for Action on Supervised Release**

COMES NOW Christopher Studley, Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Terry Barnes, who, upon an earlier plea of guilty to Bank Robbery, 18 U.S.C. §§ 2113(a) and 2113(d); and Use of a Firearm During a Crime of Violence, 18 U.S.C. § 924(c), was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on May 6, 1993, to the custody of the Bureau of Prisons for a term of 322 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Terry Barnes was released from custody on January 15, 2016, at which time the term of supervised release commenced.

On July 11, 2017, a violation report was filed notifying the court that the defendant had tested positive for the use of marijuana on January 10, 2017 and May 5, 2017. The defendant was enrolled in the surprise urinalysis program and referred for substance abuse treatment.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On July 6, 2017, the defendant tested positive for the use of marijuana. When confronted, the defendant admitted use. The defendant has been actively participating in substance abuse treatment; however, he has continued to struggle with his use of marijuana. Therefore, it is recommended that the defendant participate in a cognitive behavioral program (Moral Reconation Therapy) to assist the defendant in making better choices. Additionally, it is recommended that the defendant be enrolled in the DROPS program in light of the defendant's request to be referred to the HOPE reentry court program.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.
2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days;

Except as herein modified, the judgment shall remain in full force and effect.

**Terry Barnes**  
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Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Michael C. Brittain  
Michael C. Brittain  
Supervising U.S. Probation Officer

/s/ Christopher Studley  
Christopher Studley  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: 919-861-8669  
Executed On: August 01, 2017

**ORDER OF THE COURT**

Considered and ordered this 4 day of August, 2017, and ordered filed and  
made a part of the records in the above case.

\_\_\_\_\_  
W. Earl Britt  
Senior U.S. District Judge

A handwritten signature in black ink, appearing to read "W. Earl Britt", written in a cursive style.